

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ANNA LOVELESS,

Plaintiff

v.

WALMART, INC.,

Defendant

Case No.: 2:21-cv-00536-APG-MDC

**Order Rejecting Proposed Joint Pretrial  
Order**

[ECF No. 56]

The parties' proposed Joint Pretrial Order (ECF No. 56) does not comply with Local Rule 16-3.

First, the parties state that they have not reached any stipulations regarding admissibility of their exhibits despite the fact that most of the plaintiff's exhibits are listed on the defendant's exhibit list. If both sides intend to offer the same exhibit, why isn't it stipulated into evidence? Local Rule 16-3(b)(8)(B) states that "[s]tipulations on admissibility, authenticity, and/or identification of documents should be made whenever possible."

Second, neither party objects to the other's exhibits. Instead, each party attempts to reserve a right to object to them at the time of trial. There is no such right to reserve. Local Rule 16-3(b)(8)(B) requires parties to state the grounds for each objection to each proposed exhibit. This does not mean simply listing generic objections to all exhibits. The failure to offer specific objections to specific exhibits will result in the waiver of objection and the admission of those exhibits at trial.

Finally, it appears that the defendant simply listed every document produced during this litigation in its exhibit list, based on the consecutive Bates numbers. The defendant apparently has not thought through which exhibits it will likely need at trial.

1 Local Rule 16-3 is designed to streamline trial preparation and presentation and to foster  
2 settlement. The parties cannot simply wait to make trial decisions until the eve of trial. Such  
3 tactics prevent full participation in settlement discussions and deprive the other side the ability to  
4 efficiently prepare for trial.

5 I THEREFORE ORDER that the parties' Joint Pretrial Order (**ECF No. 56**) is  
6 **REJECTED**. The parties shall confer as required in Local Rule 16-3 and submit a Joint Pretrial  
7 Order that complies with Local Rules 16-3 and 16-4 by April 23, 2024. The failure to do so may  
8 result in sanctions, including dismissal of claims and defenses.

9 DATED this 2nd day of April, 2024.

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13 ANDREW P. GORDON  
14 UNITED STATES DISTRICT JUDGE  
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